THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.11996 OF 2006

ORAL ORDER:

The petitioners seek a writ of mandamus declaring the action of the 1st respondent in rejecting their request to stay the operation of the order passed by the 2nd respondent dated 9.3.2006 till the disposal of the appeal, as arbitrary and illegal.

By order dated 9.3.2006, which was passed under Section 5(1) of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993 (Act 16 of 1993) (for short "the Act"), the 2nd respondent cancelled the caste certificates of the petitioners, holding that the same were obtained fraudulently. Aggrieved by the same, the petitioners preferred an appeal before the 1st respondent. The 1st respondent having entertained the appeal, under the impugned order dated 19.4.2006, dismissed the application for stay of the operation of the order dated 9.3.2006. Hence, this writ petition.

I have heard the learned counsel for the petitioners and the learned Government Pleader appearing for the respondents.

Since, admittedly, the statutory appeal under Section 7 of the Act is pending before the 1st respondent, I am of the opinion that it would be appropriate to maintain *status quo* as to the order appealed against.

Accordingly, the order under challenge dated 19.4.2006 to the extent of rejecting the application for stay is set aside and the writ petition is disposed of with a direction to the 1st respondent to dispose of the appeal pending on its file, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. Till such time, the order passed by the 2nd respondent dated 9.3.2006 shall not be given effect to.

The writ petition is accordingly, disposed of. No costs.

(G. ROHINI, J.)

16th June, 2006.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.11996 OF 2006

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16th June, 2006.

Between:

K. Raja Rao and another. .. Petitioners.

And

State of Andhra Pradesh, represented by its

Principal Secretary, Tribal Welfare Department,

Secretariat, Hyderabad and another. . Respondents.